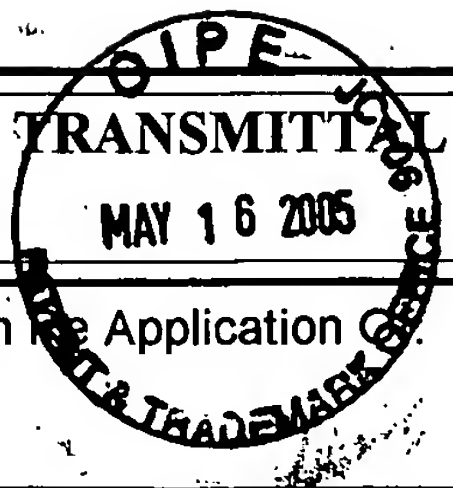


IFW



TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 16790	
In the Application of Takami Shibazaki, et al.						
Application No. 10/606,518	Filing Date June 26, 2003	Examiner Unassigned	Customer No. 23389	Group Art Unit 2877	Confirmation No. 6263	
Title: FLUORESCENT INTENSITY MEASURING METHOD AND APPARATUS						
<p style="text-align: center;">Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p style="text-align: center;">37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;">37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="padding-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center;">OR</p> <p style="padding-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>						

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
16790

Re Application Takami Shibazaki, et al.

Application No. 10/606,518	Filing Date June 26, 2003	Examiner Unassigned	Customer No. 23389	Group Art Unit 2877	Confirmation No. 6263
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Title:

FLUORESCENT INTENSITY MEASURING METHOD AND APPARATUS

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of _____
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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May 13, 2005
(Date)

Signature of Person Mailing Correspondence

Thomas Spinelli

Typed or Printed Name of Person Mailing Certificate

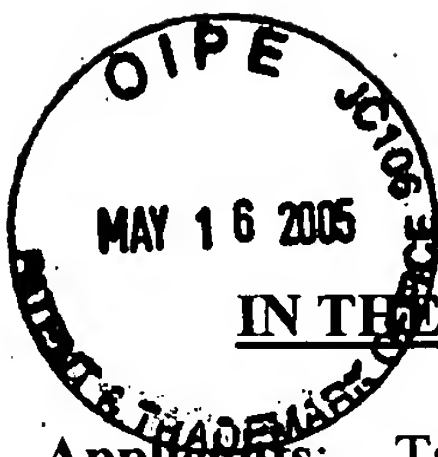
***This certificate may only be used if paying by deposit account.**

Signature

Thomas Spinelli
Registration No. 39,533

Dated: May 13, 2005

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Takami Shibazaki, et al.

Examiner: Unassigned

Serial No.: 10/606,518

Art Unit: 2877

Filed: June 26, 2003

Docket: 16790

For: FLUORESCENT INTENSITY
MEASURING METHOD AND APPARATUS

Dated: May 13, 2005

Confirmation No.: 6263

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

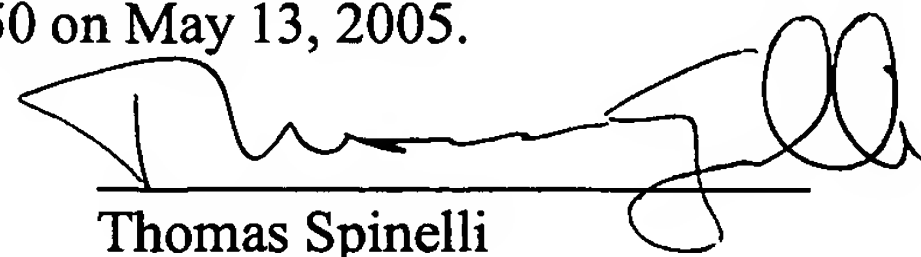
In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. PCT International Publication No. WO 98/07022, published February 19, 1998;
2. PCT International Publication No. WO 00/05571, published February 3, 2000;
3. United States Patent No. 5,880,473, dated March 9, 1999 to Ginestet; and
4. Japanese Patent Application No. 01-292238, dated November 24, 1989.

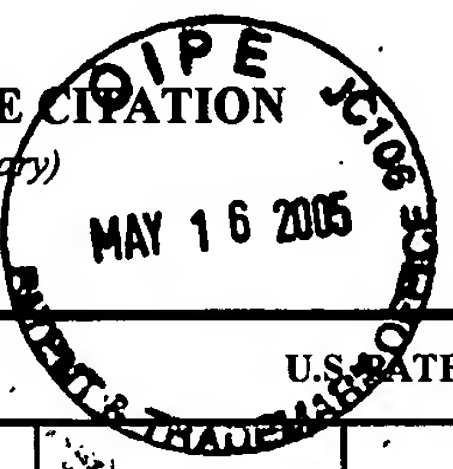
CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Dated: May 13, 2005


Thomas Spinelli

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) 16790		Application Number 10/606,518	
				Applicant(s) Takami Shibazaki, et al.			
				Filing Date June 26, 2003		Group Art Unit 2877	



U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,880,473	3/9/99	Ginestet			

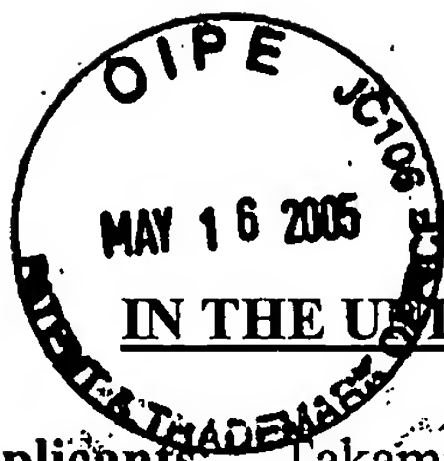
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		WO 98/07022	2/19/98	PCT			✓	
		WO 00/05571	2/3/00	PCT			✓	
		01-292238	11/24/89	Japan				✓

OTHER DOCUMENTS			(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Takami Shibazaki, et al.

Examiner: Unassigned

Serial No.: 10/606,518

Art Unit: 2877

Filed: June 26, 2003

Docket: 16790

For: FLUORESCENT INTENSITY
MEASURING METHOD AND APPARATUS

Dated: May 13, 2005

Confirmation No.: 6263

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
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STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)

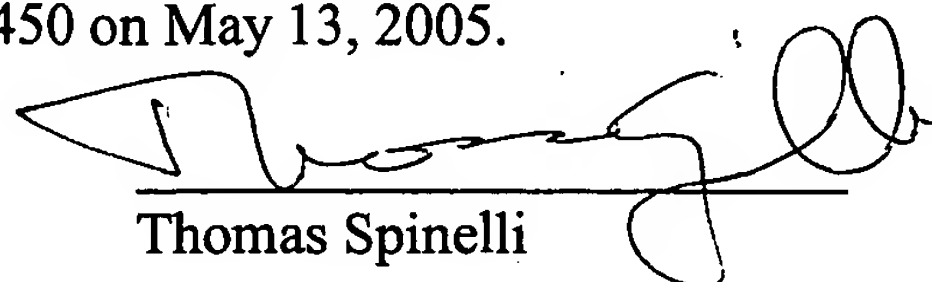
Sir:

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

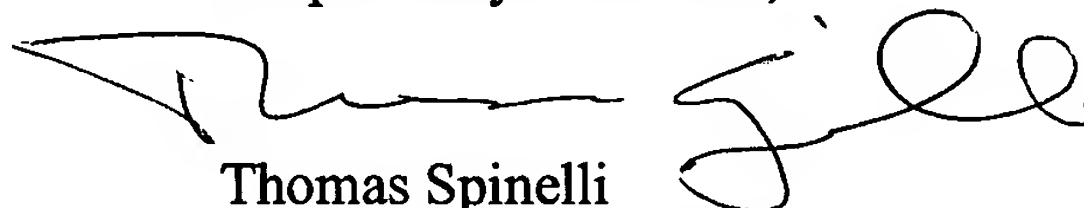
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Dated: May 13, 2005


Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', is written over the printed name.

Thomas Spinelli
Registration No. 39,533

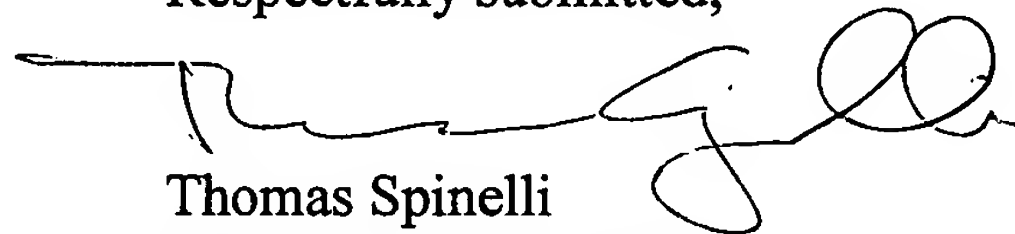
Scully, Scott, Murphy & Presser
400 Garden City Plaza - Ste. 300
Garden City, New York 11530
(516) 742-4343

TS:dg

The references were cited in a Supplementary Search Report dated April 25, 2005 received from the European Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the Search Report. The relevance of the references has been described in the Search Report.

Also enclosed herewith is a Statement Pursuant to 37 C.F.R. 1.704(d) and a date-of-receipt stamped letter to establish the date on which the European Search Report was received.

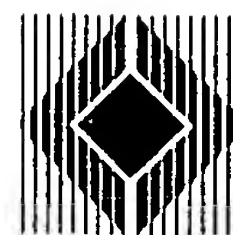
Respectfully submitted,



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May 3, 2005 KA/SD

[File: K8.2.B2: TMP10L07062]

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4 MAY 6 2005 F
SUZUYE & SUZUYE

Your Reference : 6NH-01S1044P2
Our Reference : E/58OL0706/EP
Country : EUROPE
Off. File No. : European Patent Application
01 982 819.3 / 1 347 285
Subject : Fluorescent intensity ...
Applicant : Olympus Optical Co., Ltd.

Dear Mr. Hayakawa,

Enclosed please find:

- ☒ the European search report
- ☒ copy of the documents cited therein
- ☐ the Abstract as modified by the Search Division.

With receipt of the European search report, the description, claims and drawings may be amended before the receipt of the first communication from the Examining Division (Rule 86(2) EPC). Please advise whether you wish us to file a statement to the search report and/or file new claims in order to get a more meaningful first communication.

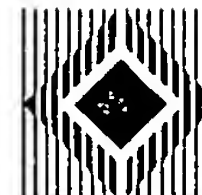
If you would like to obtain and/or to give a specific comment on the cited references please let us know.

Please be informed that under the so-called PACE programme the European Patent Office provides an accelerated prosecution of European patent applications.

[File: K8.2.B2: TMP\OL07062] 03.05.2005

0192819.3

Olympus Optical Co., Ltd.



PACE ensures that applicants who want their applications processed rapidly obtain the first examination report and any ensuing European patent as soon as possible. As explained in more detail in the Notice from the President of the European Patent Office (Official Journal EPO 2001, page 459; http://www.european-patent-office.org/epo/pubs/oj001/10_01/10_4591.pdf), accelerated processing of European patent applications is carried out upon written request.

Kindly inform us whether you wish an accelerated examination with respect to the above referenced European patent application.

Please rest assured that we will inform you of the publication date of the European search report.

For the services rendered, please find enclosed our debit note.

Very truly yours,


Dr. Jürgen Kaiser

(☎ +49-8161-930-211)

Encs.:

As mentioned above

Debit Note No. 82298